

**IN THE CLAIMS – VERSION WITH MARKINGS TO SHOW CHANGES MADE**

13. (Twice amended) An apparatus for capturing stinkbugs consisting essentially of:  
a bottom portion for attracting the target insect species and for directing said target insect species toward and into a top portion for the capture thereof;

said bottom portion comprising at least a first and a second fin, said first fin being disposed in a first substantially vertical plane and said second fin being disposed in a second substantially vertical plane, said first and second fins extending radially outwardly from a common longitudinal axis defined by a line of intersection of said first and second substantially vertical planes;

a surface of said first fin and a surface of said second fin defining opposing channel surfaces of an outwardly facing channel, said channel surfaces having portions which are directly exposed to an environment in which said target species is present, whereby said directly exposed portions may be seen by members of said stink bugs from positions beyond a perimeter of said apparatus;

each of said first and second fins being wider at a base portion thereof and narrow at a top portion thereof, whereby said channel defined by said surfaces of said first and second fins narrows from said wider base portions to said narrower top portions; said bottom portion being predominantly of a color which reflects light having a wavelength which attracts said stink bugs;

said top portion of said apparatus comprising a receptacle, said receptacle being open only at an entrance opening, and wherein said entrance opening is sufficiently large to permit entry of said stink bugs into said receptacle and is positioned at, and substantially surrounds,

an upper part of said bottom portion, whereby said channel formed by said first and said second fins terminates within said receptacle;

said top portion of said apparatus comprising a material of construction which admits ambient exterior light into the interior of said [chamber] receptacle and onto said [chained] channel surface [of said at least one channel].

### REMARKS

The claims have been amended in order to more particularly point out and distinctly claim the invention and to overcome the grounds of rejection set forth in the official letter. Inasmuch as no new matter has been introduced by the amendment entry thereof is respectfully requested.

The rejection of the claims as indefinite under 35 USC § 112, second paragraph, is believed to be overcome by the above amendments whereby the objectionable term, "chained", has been deleted from the claims and the antecedent problems referred to by the Examiner have been obviated.

The rejection of the claims under 35 USC § 103 is traversed for the reasons set forth in the previous response. Applicant is filing herewith a Notice of Appeal and will set forth in the Brief on Appeal more detailed arguments concerning this ground of rejection.

In the interim, entry of the present amendment for the purpose of placing the application in better condition for appeal is respectfully requested.

Respectfully submitted,

MILES & STOCKBRIDGE



Dennis P. Clarke  
Registration No. 22,549

Filed: October 16, 2002

1751 Pinnacle Drive  
Suite 500  
McLean, Virginia 22102-3833  
Telephone: (703) 903-9000  
Facsimile: (703) 610-8686